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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	CIVIL NO.: 51-CV-1247-GPC-RBB
	)	
Plaintiff,	)	<b>JOINT MOTION TO EXTEND STAY</b>
	)	
RAMONA BAND OF CAHUILLA, CAHUILLA	)	
BAND OF INDIANS,	)	Date: No hearing date set
	)	Time:
Plaintiff-Intervenors,	)	Dept: 9
	)	
v.	)	Hon. Gonzalo P. Curiel
	)	
FALLBROOK PUBLIC UTILITY DISTRICT, et al.,	)	
	)	
Defendants.	)	<b>ORAL ARGUMENT NOT REQUIRED</b>
	)	
	)	

1 Plaintiff-Intervenors Ramona Band of Cahuilla and Cahuilla Band of Indians (“Tribes”)  
2 respectfully move this Court for a 90-day extension of the stay of litigation until January 20, 2015,  
3 in order to allow the parties to continue settlement discussions. Under this Court’s Order of July 18,  
4 2014 (Document 5456), the current stay expires on October 20, 2014. Counsel for the Tribes are  
5 authorized to state that the United States, State of California, County of Riverside, Riverside County  
6 Flood Control and Water Conservation District, the Greenwald Landowners, Hemet Unified School  
7 District, Agri-Empire, and the Anza Basin Landowners Group do not oppose the Tribes’ request to  
8 extend the stay for an additional 90 days. U.S. Magistrate Judge Brooks stated at a settlement  
9 conference on August 20, 2014, that he concurs in the Tribes’ request to extend the stay.

10 Since the last status report, the parties have made progress on resolving the remaining  
11 outstanding issues. Counsel for the Tribes have revised pertinent provisions of the draft settlement  
12 agreement, and a revised draft is now under consideration by the parties. A draft of the proposed  
13 rules and regulations to guide the Watermaster’s administration of the settlement agreement and  
14 proposed partial final decree has been prepared and is under review by the parties. A water budget  
15 allocating water under the safe yield concept has been completed except for a few minor issues. The  
16 parties have nearly resolved the remaining issue related to the legal attributes of the Tribes’ water  
17 rights to be recognized in the Settlement Agreement. Discussions related to measures to ensure the  
18 Tribes’ water supplies are protected are nearly complete. Settlement provisions designed to  
19 implement the parties’ understandings with regard to these and other issues have been revised and  
20 are under review.

21 Settlement discussions were conducted by telephonic meeting on August 8 and September  
22 30. Discussions in person were conducted on August 21 at the offices of Richards, Watson and  
23 Gershon. In addition, various parties have conducted discussions to address certain issues of  
24 particular concern to them when convening the entire group of represented parties was not necessary  
25 or efficient. Issues unique to the relationship between the Tribes and the State of California are on-  
26 going. The Tribes, the United States, the State and the County of Riverside held an in-person  
27 meeting on August 20. As with prior discussions, this process has facilitated progress of the  
28 negotiations as a whole.

1 U.S. Magistrate Judge Brooks held a settlement conference on August 20, 2014, with the  
2 settlement parties as a whole to discuss possible resolution of outstanding issues. Several parties  
3 lodged confidential settlement briefs with Judge Brooks on August 18 to report on the status of the  
4 negotiations and to further elucidate their perspectives on outstanding issues.

5 The parties are committed to continuing these settlement discussions and have scheduled  
6 another in-person meeting on October 28. In addition, U.S. Magistrate Judge Brooks has scheduled  
7 a settlement conference for November 17 with the Cahuilla Band of Indians, the United States and  
8 Agri-Empire, and a telephonic settlement conference with all of the settlement parties for November  
9 18.

10 A 90-day extension of the stay will allow the settlement parties to continue the settlement  
11 discussions without the cost or distraction of litigation.

12 For these reasons, the Tribes respectfully request that the stay be continued to January 20,  
13 2015.

14  
15 Date: January 16, 2014

Respectfully submitted,

16  
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